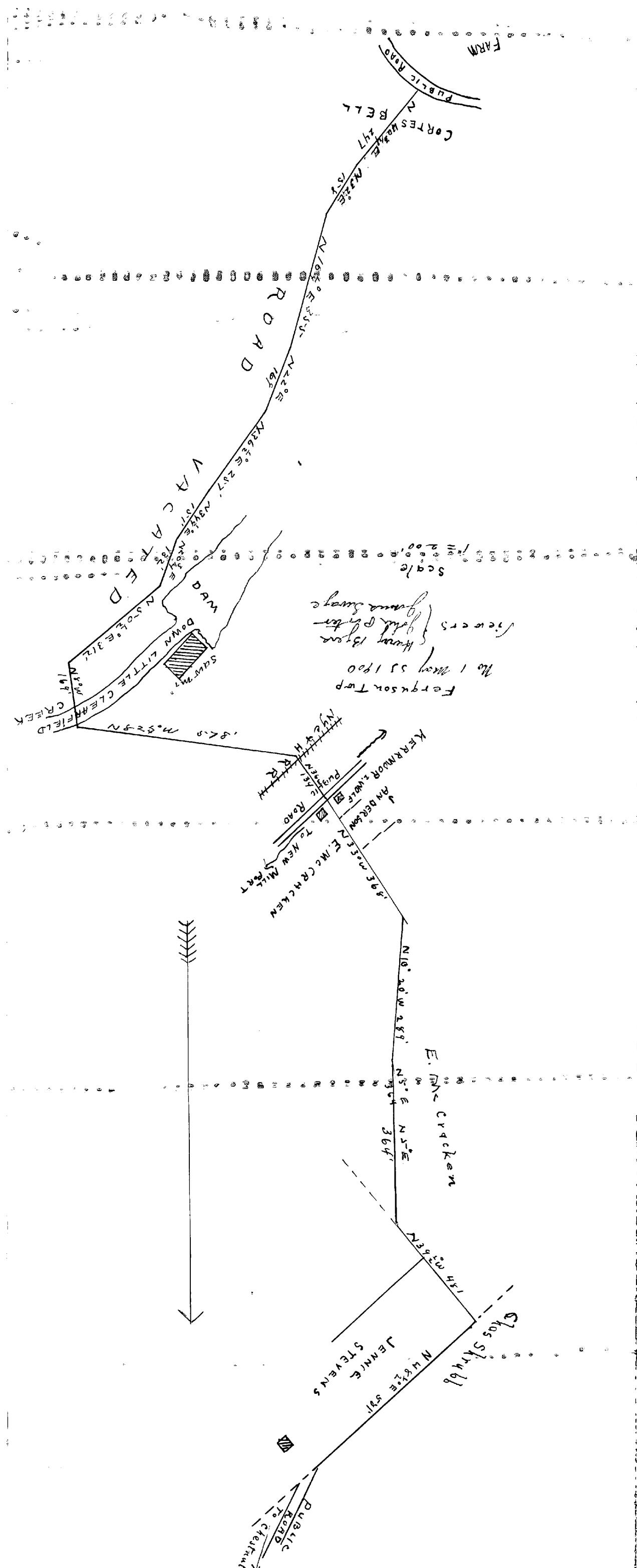


No. 1 May Term, 1908

Vacate Public Road  
versus in  
Ferguson Township

X



## RELEASE OF DAMAGES.

Know All Men By These Presents, That we, the undersigned owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of ONE DOLLAR to us respectively paid by the..... at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release and forever quit-claim to the said..... all damages that may arise to us respectively by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this..... day of.....  
A. D. 189.....

.....  
Seal.

.....  
Seal.

.....  
Seal.

.....  
Seal.

## ASSESSMENT OF DAMAGES.

The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their damages and make report thereof, as follows:

To..... the sum of.....

To..... the sum of.....

To..... the sum of.....

Witness our hands this..... day of....., A. D. 189.....

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 5<sup>th</sup> day of February, A. D. 1900, before Judge of said Court, upon a petition of sundry inhabitants of the township of Ferguson

A road has been long since laid out in said township for public use and that all that part of said road commencing near the top of the hill at Curtis Bells farm in said township and extending to a Chestnut tree at the farm of Charles Schrabb in said township your petitioners now believe to be useless.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and report to next term of Court whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers, John Porter and James Savage who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do the least injury to private property, and state particularly, whether they judge the same necessary for a PUBLIC or PRIVATE road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose land said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated land through which the within road is intended to pass, of the time of the view, according to the 147th Rule of Court.

BY THE COURT.

Grant H. Thompson  
CLERK.

To the Honorable Cyrus Gordon president Judge of the court of Quarter Sessions of Clearfield County Pa we, the undersigned, viewers appointed by the within order of court to view and vacate, the road herein mentioned respectfully report, that we gave good and lawful notice of said view with to and met agreeable thereto on the twenty-fourth day of April 1900 and having been severally sworn or affirmed we viewed the road proposed to be vacated and have vacated a part of it, to wit! beginning near top of hill at Carter Bells farm in Ferguson Township thence North ~~thirty~~<sup>forty and three fourth degrees East</sup> ~~one hundred~~<sup>top hundred</sup> ~~forty~~<sup>one</sup> feet thence North ~~thirty~~<sup>forty and three fourth degrees East</sup> one hundred and fifty-eight feet thence North sixteen and one fourth East three hundred and fifty-five feet thence North twenty-two feet ~~degrees~~ <sup>degrees</sup> East one hundred and sixty-nine feet thence North thirty-six and one half degrees East two hundred and fifty-seven feet thence North ~~thirty-four~~<sup>forty and one fourth</sup> degrees East one hundred and fifty-one feet thence North twenty and three fourth degrees East one hundred and thirty-two feet thence North fifty and one half degrees East three hundred and twelve feet thence North eight degrees West crossing Little Clearfield Creek one hundred and fifty-nine feet thence North eighty-two and one fourth degrees West five hundred and seventy-eight feet thence North thirty-six degrees West one hundred and thirty-four feet to road from Kerns to New Millport, thence North thirty-three degrees West three hundred and sixty-eight feet thence North ten degrees twenty minutes West two hundred and eighty-nine feet thence North five degrees East three hundred and sixty-four feet <sup>thence North thirty-nine and one half degrees West from hypothenuse of angle one but thence</sup> ~~thence North forty-eight and one half degrees East~~ five hundred and eighty-one feet to point opposite front on front of house of Junie Stevens, not vacating to chestnut tree mentioned in within order so that a road may be left to land of Jennie Stephens aforesaid, which road as vacated, as aforesaid <sup>in our opinion</sup> has become useless inconvenient and burdensome and should therefore be vacated, a plot or draft of which road is annexed hereto, witness our hands this twenty-fourth day of April A D 1900

Viewers } James Savage  
          } John Porter  
          } Harry Byers

NOTE:—In case of a private road, the release must be executed in favor of the petitioner for said road.  
 Also—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.  
 Viewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the viewers.  
 N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

No. 1 May Sessions, 1900



ORDER  
 To Vacate  
 To ~~cross and lay out a~~ road for  
 Public use in the township of

Ferguson, Clearfield Co.

May Sessions, 1900  
 road and confirmed Ni. Si.  
 Road to be opened ~~22~~ feet  
 wide, except where there is  
 side hill cutting or embank-  
 ment and bridging, there to  
 be 16 feet wide.

By His Consent  
 Cyrus Ferguson

AMOUNT.	
Days 3	Harry Boyer } Miles 2.2 \$14.20
Days 2	John Porter } Miles 2.2 \$6.20
Days 2	James Saaray } Miles 2.2 \$6.20
Days 1	Wm. Mc Caelen } Miles 1.50 Chairman

May 8 1900  
 Grant H. Thompson,  
 Prothonotary.

18, Sept 19 confirmed above  
 Filed ..... 189 Be  
 Fees \$17 paid by W. C. Miller  
 Atty

To the Honorable Cyrus Gordon, President Judge of the Court of Quarter Sessions of Clearfield County:

Your petitioners would respectfully represent:-

That your petitioners are inhabitants of the Township of Ferguson, Clearfield County, Pennsylvania, That a road has been long since laid out in said township for public use and that all that part of said road commencing near the top of the hill at Courtis Bell's farm in said township and extending to a chestnut tree at the farm of Charles Schrubb in said township, your petitioners now believe to be useless, inconvenient and burdensome. Your petitioners therefore pray the court that said road may be vacated, agreeably to the Act of Assembly in such case made and provided; and they will ever pray, &c.

Names.

J. M. Tracy  
Harrison Shaw  
Eden Francken  
C. H. Ferguson  
L. S. McCracken  
John B. Campbell  
John McCracken  
Blair & Evans  
J. H. Michaels  
Edward McClellan  
Galt - Smith  
L. B. Hile  
W. H. Shaw  
L. S. McCracken  
Sam Avery

Names.

J. H. Miller  
J. Dr. Hile  
Lewis McClellan  
Thomas H. Goos  
C. D. Young  
J. W. Young  
Wm. H. Miller  
J. H. D. Hile  
Henry Ferguson  
John Hile  
J. H. Miller  
Horace McClellan  
George C. Hile

W. C. Miller

Mon. Oct. 5/1900 Received  
Letter from George C. C.  
McLaughlin, Harry Press  
Other Post Office Services  
are especially anxious to  
know if you have made  
any arrangements to pay  
back the Court as regards  
you.

Very truly yours

W. C. MILLER,

Attorney-at-Law,

CLEARFIELD, PA.